

Minutes of the regular meeting of the Planning Commission of the Town of Apple Valley, Washington County, Utah that was held on the 25th day of February, 2016 at 6:00 pm at the Smithsonian Fire Department Building, 1777 N. Meadowlark Drive, Apple Valley, Utah 84737.

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Jack Davis.
3. Roll Call: Lee Fralish, Janet Prentice, Dale Kingsley, Cynthia Browning and Jack Davis were present. Robert Campbell representing the Town Council was present. Legal counsel was excused. Town Clerk, Nathan Bronemann was present taking minutes.
4. Declarations of conflict of interests

None stated.

5. Discussion and action on appointing a chair and co-chair

Motion made by Dale Kingsley to appoint Jack Davis as chair and Cynthia Browning as co-chair. Janet Prentice seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

6. Public Hearing on:
 - a. Minor Subdivision of AV-1377-G-1
 - b. Amending the Town's general plan with regard to AV-1377-G-1
 - c. Zone change for newly created parcels of AV-1377-G-1

Margaret Ososki asked what was being proposed.

Jack Davis explained that they wanted to subdivide the parcel into 5 separate lots. He said they wanted to amend the General Plan to allow residential lots. He said they wanted to rezone the lots to commercial and residential.

Pat Baker said he was concerned about allowing commercial near the residential property.

It was explained the since the Town had designated that area as commercial on the general plan and that it was bound to allow the commercial zoning in that area.

Diane Fralish said allowing the commercial would create an eyesore and asked why the Town would allow commercial near residential.

Pat Baker asked why they were asking for a zone change.

Aaron Allred said it was currently zoned open space transitional.

Jack Davis said it fit the town's general plan.

Pat Baker suggested that the Planning Commission only allow the property to be zoned as C-1.

Jack Davis explained that the Planning Commission's job was to verify that the request met current requirements and to make a recommendation to the Town Council.

Rick Crawford said he had read that one of the reasons Apple Valley incorporated was to avoid having this type of commercial area. He recommended that the Town only allow C-1 type commercial and not the heavier commercial. He said upscale store fronts would be more inviting. He said that area already looked very bad.

Jack Davis said some of those buildings existed before the Town was incorporated. He reiterated that the Town had a general plan map that designated certain areas as planned to be zoned to specific types of zones.

Rick Crawford again recommended

Leanna Jessop said she said she lived right next to the proposed property and she said she didn't have any problem with the commercial property. She asked if there would be a turn lane from the highway put in.

Jack Davis said that was out of the Town's control and UDOT would have to decide to change the highway access. He added that the Town relies on tax revenue to function and that bringing new business brought that revenue.

Aaron Allred explained that the proposed business would not have much traffic coming to the business.

Todd Chamberlain read from the Town's code that recommended C-1 on a highway. He also expressed his concern with traffic entering and exiting the highway.

Jack Davis asked Margaret Ososki not to speak out of turn and to keep things civil.

Pat Baker asked if there would be a fence dividing the C-1 from the C-3.

Aaron Allred showed the areas that would be zoned C-1 and C-3.

Pat Baker said he would like to see a designation on where the lot lines would be.

Aaron Allred said the proposed lots had been staked.

Jack Davis said the Town would ensure that there was a designation.

Evelyn Greco asked for the Land Use Plan Map to be available to the public on the wall in the council room.

Cynthia Browning said it would be available online.

Aaron Allred said they had learned a lot about doing due diligence. He said that when they learned that the plan was commercial in that area, they changed their plan to zone commercial.

John Humphries asked if the roundabout would be taking any of their property.

Aaron Allred said it would not affect their property.

John Humphries asked about where the water line ran in that area.

Jack Davis said the water master knew where the water lines ran.

Rick Crawford said he would have no objection to amending the general plan to allow all residential in that area.

Margaret Ososki asked who owned the property to the east.

It was stated that the property was owned by Precept Holding.

Diane Fralish wanted to go on record as opposing the C-3 zoning in the area as she felt it was incompatible with the surrounding residential area. She said the intersection at 1700 was a dangerous intersection because it was at an unsafe angle.

Pat Baker asked why they couldn't change the entire area residential.

Jack Davis said the owner of the property requested that some of it be commercial as allowed in the general plan. He added that it was up to the individual drivers to be safe.

Charlie Greco asked what the owner's intent was with the residential lots.

Aaron Allred said he and his partner were planning on building homes for them to live in.

George Jessop said he was a huge advocate for property rights. He said health, safety, and welfare should be the only things that should impact the Town's decision on property.

Jack Davis said this was all part of progress and that the Town had the zoning map to guide the Town in its planning.

Motion made by Jack Davis to close the public hearing. Dale Kingsley seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

7. Discussion and possible action on:
 - a. Minor Subdivision of AV-1377-G-1
 - b. Amending the Town's general plan with regard to AV-1377-G-1
 - c. Zone change for newly created parcels of AV-1377-G-1

Lee Fralish asked about the proposal to require the extension of 1700 E. through to 1800 E.

Jack Davis said the owner of the property to the north would not allow the extension of that road though his property.

Janet Prentice said she felt a turn lane on the highway would be nice.

It was reiterated that UDOT would have to make that decision.

Motion made by Jack Davis to recommend Town Council approval of the proposed subdivision, general plan amendment, and zone change with the condition that a delay agreement for road improvements be in place. Janet Prentice seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

8. Discussion and action on zone change for AV-1365-G – Rick Crawford

The board reviewed the documentation provided by Mr. Crawford.

Motion made by Jack Davis to schedule a public hearing for the proposed zone change for March 10, 2016 at 6:00 pm. Lee Fralish seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

9. Discussion and action on Preliminary Plat approval for Jepson Canyon Resort Phase 1

The board reviewed the documentation provided by Mr. Hank Isaksen.

Motion made by Jack Davis to schedule a public hearing for the preliminary plat for March 10, 2016 at 6:00 pm. Lee Fralish seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

10. Consider approval of minutes:

a. February 11, 2016 Meeting Minutes

Motion made by Jack Davis to approve the February 11, 2016 meeting minutes. Janet Prentice seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

11. Adjournment

Motion made by Jack Davis to adjourn the meeting. Cynthia Browning seconded the motion. Vote: Lee Fralish-yes, Janet Prentice-yes, Cynthia Browning-yes, Dale Kingsley-yes, Jack Davis-yes. Motion passed 5/0.

Meeting adjourned at 7:03 pm.

Date approved: _____

ATTEST BY: _____
Nathan Bronemann

Jack Davis